

**IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL
ORIGINAL JURISDICTION**

Dated: Nainital: the 13th day of December 2005

Bail Application No. 1152 of 2005

Order on the bail application of accused

CRIMINAL SIDE

Lakhan S/o Palla
R/o Village Dhadheki
P.S. Laksar
District Haridwar

...Applicant

Versus

State of Uttaranchal

..Opposite Party

Arising out of Case Crime No. 211 of 2003

Under Section 307 of I.P.C.

P.S. Manglore

District Haridwar

By the court

Hon'ble B.C.Kandpal, J.

The applicant has applied for bail in case crime No. 211 of 2003 under Sections 307 of I.P.C., P.S. Manglore, District Haridwar.

Heard Sri Parikshit Saini, learned counsel for the applicant, learned A.G.A. and perused the record.

The record reveals that the applicant has earlier been granted bail by the court of Sessions, the applicant was absent during the course of the trial on one day, the trial court found the ground for exemption insufficient, hence issued non bailable warrant against the applicant and consequent to the non bailable warrant issued against him, the applicant was arrested. Now the applicant is in jail since 18.10.2005.

Keeping in view the period of detention of the applicant in jail, I think, it would be just and proper to release the applicant on bail at this stage.

Let the applicant Lakhan be released on bail on his executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of Magistrate concerned.

(B.C. Kandpal, J.)

13.12.2005

ASWAL